

TODD M. LEVENTHAL, ESQ
LEVENTHAL AND ASSOCIATES PLLC.
Nevada Bar No. 008543
California Bar No.223577
626 South Third Street
Las Vegas, Nevada 89101
(702) 427-8686
leventhalandassociates@gmail.com
Attorney for Andrei Popescu

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	2:16-cr-00020-APG-NJK
Plaintiff,)	
)	
vs.)	
)	
ANDREI POPESCU,)	
)	
Defendant.)	

FINDINGS OF FACT

Based on the stipulation of counsel, and good cause appearing, the Court finds that:

1. On May 9th 2016, Mr. Leventhal was retained by Andrei Popescu to represent him in the above referenced matter.
2. Mr. Leventhal has a personal matter to attend to and will not be available.
3. Mr. Popescu is currently out of custody and agrees with this request.
4. Mr. Leventhal has spoken to KATHRYN NEWMAN, Assistant United States Attorney, and she has no objection to this continuance.
5. Additionally, denial of this request for a continuance could result in a miscarriage of justice.
6. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speed Trial Act, Title 18, United

1 States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18, United States
2 Code, Section 3161 (h)(7)(b) i and 3161 (h)(7)(b)(iv). In addition, the continuance sought is not
3 for delay and the ends of justice are in fact served by the granting of such a continuance which
4 outweigh the best interest of the public and the defendant in a speedy trial.

5 CONCLUSIONS OF LAW

6 The ends of justice served by granting said continuance outweigh the best interest of the
7 public and the Defendants in a speedy trial, since the failure to grant said continuance would be
8 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
9 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
10 account the exercise of due diligence.


12 The continuance sought herein is excludable in computing the time within which the trial
13 herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section
14 3161(h)(7)(A) considering the factors under Title 18, United States Code, Sections
15 3161(h)(7)(B)(i) and (ii).

17 ORDER

18 Accordingly, IT IS SO ORDERED that the current Initial Appearance/Arraignment
19 and Plea hearing is vacated and the same is continued and reset for June 28, 2016, at the
20 hour of 3:00 p.m., in Courtroom # 3D.

21 *Preferably Monday-Thursday.

23 Dated this 8th day of June, 2016.

25
26 
United States Magistrate Judge